

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BAYCHAR

Serial No.

Filed: February 26, 2004

For: RUNNING SHOES, HIKING SHOES AND BOOTS, SNOWBOARD BOOTS,
ALPINE BOOTS, HIKING BOOTS, AND THE LIKE, HAVING
WATERPROOF/BREATHABLE MOISTURE TRANSFER CHARACTERISTICS

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Commissioner for Patents
Mail Stop Patent Application
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, Applicants inform the Examiner of the documents cited during prosecution of the parent application, Serial No. 09/500,535, as well as additional documents cited in related application, U.S. Serial No. 10/777,159.

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is

included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

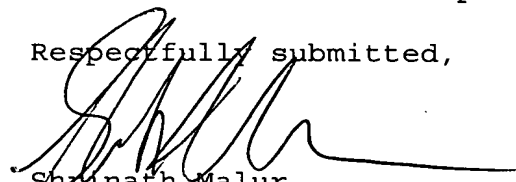
3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed (needed for U.S. and foreign patents, publication or portion thereof listed; no copy of a U.S. patent application is needed; a copy of a document is not needed when previously submitted or previously cited by the PTO in a parent application of the present application as set forth under 35 U.S.C. § 120).

4. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

5. No explanation of relevancy is being provided for the following document(s) because each is either in the English language, discussed in the present Specification, or its relevance is as stated in a communication from a foreign patent office in a counterpart foreign application.

6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,



Shrinath Malur
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Attorney for Applicant(s)

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Information Disclosure Statement

BAY-510

Date: February 26, 2004

FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. BAY-510		SERIAL NO.	
LIST OF DOCUMENTS CITED BY APPLICANT <i>(Use several sheets if necessary)</i>				APPLICANT BAYCHAR		GROUP	
				FILING DATE February 26, 2004			
U.S. PATENT DOCUMENTS							
* EXAMINER INITIAL		DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE <i>(If Appropriate)</i>
	AA	5,075,343	12/24/91	Blount			
	AB	5,637,389	06/10/97	Colvin et al			
	AC	5,763,335	06/09/98	Hermann			
	AD	6,004,662	12/21/99	Buckley			
	AE	4,599,810	07/15/86	Sacre			
	AF	5,677,048	10/14/97	Pushaw			
	AG	5,330,208	07/19/94	Charron et al			
	AH	5,342,070	08/30/94	Miller et al			
	AI	5,452,907	09/26/95	Meibock et al			
	AJ	4,909,523	03/20/90	Olson			
	AK	5,380,020	01/10/95	Arney et al			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	<div style="display: flex; justify-content: space-between;"> <div>TRANSLATION</div> <div>YES</div> <div>NO</div> </div>
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	AO						<input type="checkbox"/> <input type="checkbox"/>
	AP						<input type="checkbox"/> <input type="checkbox"/>
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, etc.)</i>							
	AR	Olympia Sports Catalog, Olympia Performance Gloves, 1993, pp. 2-8.					
	AS	MOTOPOST - 1991 MOTOPOST U.S.A. Apparel and Accessory Catalog, 1991.					
	AT	KAMIK Catalog, 1997.					
EXAMINER				DATE CONSIDERED			
<small>* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							

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U.S. PATENT DOCUMENTS						
* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE <i>(If Appropriate)</i>
	AA	5,398,948	03/21/95	Mathis		
	AB	5,456,393	10/10/95	Mathis et al		
	AC	5,503,413	04/02/96	Belogour		
	AD	5,544,908	08/13/96	Fezio		
	AE	5,253,434	10/19/93	Curley, Jr. et al		
	AF	5,216,825	06/08/93	Brum		
	AG	4,910,886	03/27/90	Sullivan et al		
	AH	4,674,204	06/23/87	Sullivan et al		
	AI	4,216,177	08/05/80	Otto		
	AJ	5,682,613	11/04/97	Dinatale		
	AK	4,662,006	05/05/87	Ross, Jr.		
FOREIGN PATENT DOCUMENTS						
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	AO					<input type="checkbox"/> <input type="checkbox"/>
	AP					<input type="checkbox"/> <input type="checkbox"/>
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, etc.)</i>						
	AR	LaCrosse Catalog, 1997.				
	AS	Frisby Technologies Test Report - "Insulated Boot Lines Containing Microencapsulated Phase Change Materials", December 12, 1995.				
	AT	Frisby Technologies Test Report - "Cold Weather Boot Liners Containing COMFORTTEMP Foam", September 24, 1996.				
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* EXAMINER INITIAL		DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE <i>(If Appropriate)</i>
	AA	4,529,641	07/16/85	Holtrop			
	AB	3,779,855	12/18/73	Fonzi et al			
	AC	3,607,593	09/21/71	Semenzato			
	AD	5,378,529	01/03/95	Bourdeau			
	AE	4,338,366	07/1982	Evans et al			
	AF	5,021,280	06/1991	Farnworth et al			
	AG	4,338,371	07/1982	Dawn et al			
	AH	5,269,862	12/1993	Nakajima et al			
	AI	5,092,614	03/03/92	Malewicz			
	AJ	5,397,141	03/14/95	Hoshizaki et al			
	AK	4,524,529	06/1985	Schaefer			
FOREIGN PATENT DOCUMENTS							
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OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, etc.)</i>							
	AR	"Analytical Modeling of A MicroPCM-Enhanced Diver Dry Suit", U.S. Naval Academy, Technical Report EW-20-96, August 1996.					
	AS	Soccer Technology Catalog, PUMA, 1992.					
	AT	OUTLAST Style #1750 (Alpine 1), Product Specification, 1996.					
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* EXAMINER INITIAL		DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE <i>(If Appropriate)</i>
	AA	5,010,596	4/30/91	Brown et al			
	AB	5,340,132	08/23/94	Malewicz			
	AC	5,437,466	08/01/95	Meibock et al			
	AD	5,499,460	03/19/96	Bryant et al			
	AE	4,756,958	07/12/96	Bryant et al			
	AF	5,224,356	07/06/93	Colvin et al			
	AG	5,290,904	03/01/94	Colvin et al			
	AH	5,366,801	11/22/94	Bryant et al			
	AI	5,415,222	05/16/95	Colvin et al			
	AJ	4,823,407	04/1989	Phillips Jr. et al			
	AK	4,805,319	02/1988	Tonkel			
FOREIGN PATENT DOCUMENTS							
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OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, etc.)</i>							
	AR	OUTLAST Style #4330 (Alpine 2), Product Specification, 1996.					
	AS	OUTLAST Alpine TRF3, Product Information Sheet, 1996.					
	AT	Frisby Technology Documents, No. F001006-F001009, June 1996.					
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	AA	4,454,191	06/1984	Blucher et al			
	AB	3,839,138	10/1974	Kyle et al			
	AC	3,616,170	10/1971	Closson Jr.			
	AD	5,932,299	08/1999	Katoot			
	AE	5,787,502	08/1998	Middleton			
	AF	5,785,909	07/1998	Chang et al			
	AG	5,775,006	07/1998	Breuner			
	AH	5,727,336	03/1998	Ogden			
	AI	5,439,733	08/1995	Paire			
	AJ	5,365,677	11/1994	Dalhgren			
	AK	5,171,033	12/1992	Olson et al			
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	AA	5,134,017	07/1992	Baldwin et al				
	AB	5,098,778	03/1992	Minnick				
	AC	5,073,298	12/1991	Gentle et al				
	AD	4,279,179	03/1988	Quist Jr.				
	AE	4,656,760	04/1987	Tonkel et al				
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